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Chairman: Mr. Ball (Vice-Chairman) ..... (New Zealand)
later: Mr. Hachani (Chairman) ..... (Tunisia)
later: Mr. Ball (Vice-Chairman) ..... (New Zealand)

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In the absence of Mr. Hachani (Tunisia), Mr. Ball (New Zealand), Vice-Chairman, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 107: Programme of activities of the International Decade of the World's Indigenous People (A/53/282 and 310)

1. **Mr. Ndiaye** (Director, Office of the High Commissioner for Human Rights, New York Office), introducing the item, drew attention to the reports of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations (A/53/282) and on the programme of activities of the Decade (A/53/310). The two reports had been submitted, through the Secretary-General, by the High Commissioner for Human Rights in her capacity, under General Assembly resolution 52/108, as Coordinator of the Decade.

2. One of the main objectives of the programme of activities of the Decade was the adoption of a United Nations declaration on the rights of indigenous peoples and the further development of international standards and national legislation governing those rights. The drafting of the declaration was proving to be a challenge: so far, the working group set up by the Commission on Human Rights had adopted only two out of 45 draft articles. He hoped that, at its forthcoming session, the working group would bring the adoption of the declaration closer.

3. Another major objective of the Decade was to further the implementation of the relevant recommendations of high-level international conferences, and in particular the recommendation of the 1993 World Conference on Human Rights, that consideration should be given to establishing a permanent forum for indigenous people within the United Nations system. An inter-sessional ad hoc working group established by the Commission on Human Rights would meet in February 1999 to discuss the mandate, composition, financial implications and level of the permanent forum and submit its report to the Commission at its next session.

4. In its resolution 50/157, the General Assembly recommended that the objectives of the Decade should be assessed by quantifiable outcomes that would improve the lives of indigenous people and that could be evaluated halfway through the Decade, in 1999, and at its end in 2004. To that end, the Subcommission on Prevention of Discrimination and Protection of Minorities had recommended that the Office of the High Commissioner for Human Rights should be authorized to organize a three-day technical meeting in July 1999 of the Subcommission's Working Group on Indigenous Populations in order to undertake a mid-point review of the Decade and also to review the programme of activities for the remaining years.

5. With regard to the activities financed from the United Nations Voluntary Fund for Indigenous Populations and from the Voluntary Fund for the Decade, he noted that the activities were approved by the High Commissioner, as Coordinator, on the recommendation of the Fund's Advisory Group. He conveyed the High Commissioner's gratitude to all donors for their contributions to the Funds, and encouraged them to contribute on a regular basis; he urged them if possible to increase their contributions and to pay them by April 1999 so as to enable the Board of Trustees and the Advisory Group to fulfil their mandates. He also called for new donors.

6. *Mr. Hachani (Tunisia) took the Chair.*

7. **Mr. Valle** (Brazil) said that Brazil was firmly committed to promoting the rights of indigenous populations: Brazil's 215 indigenous ethnic groups, speaking about 170 languages, had experienced sustained demographic recovery over the past three decades, from a low of fewer than 60,000 people to a population currently estimated at 330,000. The provision of State benefits and the demarcation of indigenous lands, a process that was still incomplete, had contributed greatly to that recovery.

8. Brazil recognized that land rights and a safe environment were essential to the survival of indigenous populations as culturally different groups within its society because land was fundamental to their social life and because the notion of territory was directly linked to their cultural values. Under the Constitution of 1988, indigenous groups were guaranteed their original rights over the lands they traditionally occupied: the area in question, of nearly one million square kilometres – the size of France and the United Kingdom combined – represented over one tenth of Brazil's territory.

9. Many indigenous areas were still affected by illegal incursions by, among others, prospectors for gold, leading to environmental degradation and aggravating health and nutritional problems among various groups. The Federal Government was taking continuing action to exclude non-indigenous people from the demarcated areas, reclaim areas of environmental degradation and promote health care and environmental education. He cited in that connection an operation launched in December 1997 to clear the Yanomami area from another invasion, by hundreds of gold prospectors.

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10. Brazil doubted whether it was necessary to establish a new forum within the United Nations system to deal with issues relating to promotion of the rights of indigenous populations. It supported the activities of the Working Group on Indigenous Populations, and believed that existing mechanisms should be used and their efficiency improved.

11. Brazil was involved in the working group of the Commission on Human Rights on the drafting of a declaration on the rights of indigenous peoples. Because such rights were a universal concern, the declaration must be universal in scope and cover the rights of indigenous people everywhere.

12. He expressed the hope that the goals of the Decade would be achieved in full and that the Decade would become the starting point for a new era of sustainable development and full respect for indigenous rights, and not just a symbolic gesture.

13. **Mrs. Pria** (Mexico) said that, worldwide, alongside the technological revolution and the major changes in political and economic systems there was an exploding number of groups that were demanding their right to be recognized and developed; by so doing, they were seeking a transformation of the whole social structure and challenging globalization in the name of cultural uniqueness and people's control over their lives and surroundings. The forms which that phenomenon took were as many and varied as the cultures and histories that formed each identity.

14. The Constitution recognized the multicultural composition of the nation, and legislative reforms were under way, in keeping with the national consultation on indigenous rights and participation, which had made it possible to systematize the proposals of the indigenous peoples for recognition of their own specific rights.

15. Processes were also under way at the federal level and at the level of the individual states towards achieving recognition of indigenous rights in Mexico's legal system. There were four constitutional-reform initiatives on indigenous rights and culture before the Congress.

16. In response to the poverty and marginalization faced by indigenous people, various programmes were being run to provide basic services and support in terms of education, health and nutrition. Action was being taken on the administration of justice, recognition of indigenous rights, ownership of land, economic development and strengthening indigenous participation for self-determination.

17. For all peoples, land was a basic factor for production and survival, and the embodiment of their heritage. To provide legal security, the Mexican Government had set in motion a programme to certify traditional land rights which had made it possible to do away with outdated forms of tenure and guarantee land ownership. It was also running programmes to boost food production through permanent financing mechanisms.

18. Another fundamental element was the work done by indigenous women, and action was therefore being taken to amend laws that would recognize their importance as providers of food and promoters of indigenous cultures.

19. Migration was a growing phenomenon in Mexico, with complex patterns both within and outside the country. As a response, the Government was running a programme for agricultural day labourers that provided advisory services, educational support and legal and economic assistance.

20. On an average schoolday in Mexico, about a million children attended public schools for indigenous education, and in 1998 more than 1.5 million free textbooks were being distributed in many indigenous languages and dialects.

21. As part of that policy, the National Institute for Indigenous Peoples, established in 1948, was promoting a variety of activities to achieve legal and political recognition and protection of indigenous peoples' natural resources. Another aspect of the Institute's work was providing protection and bilingual defence for peoples and individuals whose rights had been violated: so far in 1998, it had obtained the release of nearly 5,000 indigenous people. It also had 24 stations broadcasting in 32 languages for an audience of 5.5 million indigenous people.

22. Mexico, mindful of its international commitments, was the largest single contributor to the Indigenous Peoples Development Fund for Latin America and the Caribbean, and would be hosting that Fund's general assembly in May 1999.

23. Mexico had taken part in various meetings within the framework of the ILO Indigenous and Tribal Peoples Convention No. 169 (1989) and had fulfilled the Convention's requirements.

24. With the proclamation of the International Decade of the World's Indigenous People, emphasis had been placed on the need for the world, as a global village, to promote inclusive practices based on the principles of tolerance and coexistence in respect of cultural and political differences. In that connection, Mexico would keep a watchful eye on the process of establishing a permanent forum for indigenous people within the United Nations system: the challenge was enormous because it meant rectifying an inequality that had built up over the course of history to the detriment not only of indigenous populations but of all minorities.

25. The time had come for a sharing of identities with tolerance as the best tool for coexistence and peace: in diversity was strength and the basis for coexistence. She expressed the hope that everyone would be capable of assuming that historic responsibility as the world entered the twenty-first century.

26. **Mr. Kolby** (Norway), speaking on behalf of the Nordic countries – Denmark, Finland, Iceland, Norway and Sweden – said that those countries remained committed to national and international action to mark the International Decade of the World's Indigenous People, welcomed the activities within the United Nations system and applauded the range of activities reported in document A/53/310. The Nordic countries were contributors to the Voluntary Fund for the Decade and to the Voluntary Fund for Indigenous Populations, and urged other Governments to contribute also.

27. The Nordic countries welcomed the increased priority given in the United Nations system to indigenous issues, and called on those agencies within the system that had not yet done so to join in mainstreaming indigenous issues in their programmes.

28. He noted that not only Governments but also non-governmental and indigenous peoples' organizations played an important role in promoting the Decade's objectives, especially cooperation between indigenous peoples themselves and also between them and Governments. In that connection, he noted that the Sami and Inuit peoples and their cultures had made valuable contributions to the Nordic societies, and strengthening those cultures and identities was a common goal of the Nordic Governments; thus, Greenland had been given home rule, elected Sami assemblies had been set up and cross-border cooperation among Sami people and with local governments in the region had enhanced awareness and development of Sami culture.

29. The Nordic countries welcomed the establishment by the Commission on Human Rights of an ad hoc working group to consider proposals for a permanent forum for indigenous people in the United Nations system, and encouraged all indigenous peoples and all States to participate in the process: the permanent forum would be an important tool for coordination and the exchange of information.

30. Although the drafting of a declaration on the rights of indigenous peoples involved many difficult issues, the Nordic countries felt that it was time to make considerable progress in agreeing on the substantive provisions at the forthcoming session of the working group. The Nordic countries wanted the declaration to be robust and capable of contributing positively to the situation of all indigenous peoples.

31. He noted that the "partnership" theme of the Decade must be aimed at fostering good relations between States and their indigenous peoples, based on equity and mutual respect. The Nordic countries called on the international community to use the Decade as a framework for making a lasting contribution to the lives of indigenous peoples and furthering their advancement worldwide, and as an opportunity to bring about significant improvements in their enjoyment of human rights.

32. **Ms. Martínez** (Ecuador) said that, in supporting the proclamation of the Decade, it had done so in recognition of Ecuador's ethnic and cultural diversity and because it was convinced that only by strengthening international cooperation would it be possible to solve the numerous social and economic problems which beset the indigenous peoples.

33. Under its 1998 Constitution, Ecuador was a sovereign, unitary, multicultural and multi-ethnic State of law; although Spanish was the official language, Quechua and the other ancestral languages were in official use among the indigenous peoples. The Constitution enumerated the collective rights of the indigenous peoples which the State was bound to recognize and guarantee. Towards that end, the Government had, *inter alia*, adopted a national human-rights plan and was implementing various programmes, within its budgetary limitations, to guarantee those rights fully.

34. The Government believed that the programme of activities for the Decade was important and was therefore grateful to the donors to the Voluntary Fund; it believed also that the indigenous peoples must participate if the objectives set forth in that programme were to be achieved. It remained committed to the Declaration and Programme of Action of the World Conference on Human Rights held in Vienna in 1993, and especially to the establishment of a permanent forum for indigenous people within the United Nations system.

35. *Mr. Ball (New Zealand), Vice-Chairman, resumed the Chair.*

36. **Mr. Estévez López** (Guatemala) said that as part of his country's commitment to achieving the objectives of the International Decade of the World's Indigenous People, his Government was promoting better living conditions and opportunities for its indigenous population through the Guatemalan Indigenous Development Fund, which was designed to promote the human development of indigenous

people and had already benefited approximately 40,000 Guatemalans. The Government attached great importance to policies aimed at ensuring full participation by indigenous peoples in order to consolidate national unity.

37. The 1996 Agreement on the Identity and Rights of Indigenous Peoples set forth a number of recommendations concerning major constitutional reforms and the establishment of five commissions to deal with indigenous questions. The reforms required amendments to the Constitution and recognition of the fact that Guatemala was a multi-ethnic, multicultural and multilingual nation. A commission for giving official status to indigenous languages had submitted a proposal which was under consideration.

38. A commission on land rights for indigenous peoples was considering such questions as the acquisition of land for indigenous communities and the legal protection of their rights. The Government was also promoting initiatives in the areas of health, education and development of indigenous communities. The Ministry of Education had drawn up policies for intercultural bilingual education as a way of building a democratic and pluralistic society based on a culture of peace and understanding.

39. The Guatemalan Government, together with the United Nations Development Programme (UNDP), had been promoting projects specially designed for indigenous groups. His delegation firmly supported the work carried out by the working group on the draft declaration on the rights of indigenous peoples, which would constitute a platform for ensuring the rights of groups that had traditionally been marginalized.

40. He expressed appreciation to the Member States that had made contributions to the Voluntary Fund for the International Decade and urged them to try to maintain and, if possible, increase them in order to achieve the objectives of the Decade.

41. **Ms. Montoya** (United States of America) said that the United States Government was committed to protecting and promoting indigenous rights and recognized the domestic dependent-nation status of the American Indian tribes, conducting bilateral relations with tribal governments.

42. Indigenous issues were gaining prominence at the United Nations and in other international forums, and that momentum should be maintained. The International Decade of the World's Indigenous People (1995–2004) focused attention on the importance of indigenous cultures to the global community, helping to combat discrimination and foster greater understanding of the needs of indigenous people.

43. Her delegation hoped that the working group on the draft declaration on the rights of indigenous people would make progress towards the adoption of the declaration. She was pleased to note the participation of indigenous representatives in the working group, which the United States viewed as vital to its success, and hoped that they would continue to participate in the negotiations later in 1998.

44. In 1994, President Clinton had directed all United States Government agencies to build relationships with the Native American tribal governments through inter-agency collaboration and an inter-agency working group on American Indians and Alaska Natives. The latter had been meeting regularly since 1996 to coordinate initiatives aimed at enabling tribes to address issues of concern. Significant progress had been made in promoting tribal self-government, crime prevention and offender rehabilitation. Programmes had been launched to prevent violence against women and to improve investigation, prosecution and handling of child abuse cases among Native Americans. A federal environmental protection strategy had been elaborated to include the development of tribal projects, while work was under way to promote economic self-determination among Native American communities.

45. The United States Department of State worked with American indigenous leaders on issues such as biological diversity, whaling, environmental protection and sustainable development, including protection of the Arctic. Defence of indigenous rights was an important goal of United States foreign policy. Her delegation urged all countries to work together with the United States to ensure that the Decade did full justice to indigenous peoples throughout the world.

46. **Mrs. Pulido** (Venezuela) said that the International Decade of the World's Indigenous People was an excellent opportunity to focus attention on that segment of the world's population in order to adopt measures to meet their particular needs and improve their living conditions. Her delegation participated in the working group on the draft declaration on the rights of indigenous peoples and felt that the establishment of a permanent forum for indigenous people within the United Nations system was an effective way to enable those groups to express their concerns and make proposals to the Organization on activities that could better meet their expectations.

47. The establishment of the indigenous project team with the Office of the High Commissioner for Human Rights (A/53/310, para. 26) was a very valuable initiative in order

to ensure that the issues were dealt with in a coherent and comprehensive manner. In addition, the Office's indigenous fellowship programme (ibid., para. 46) should be commended as a mechanism for transmitting knowledge and skills in the field of human rights. Her delegation noted with satisfaction the positive response of the specialized agencies, financial institutions and operational programmes by assigning priority to improving the living conditions of indigenous populations.

48. The adoption of national plans for the benefit of indigenous peoples was the key to ensuring the Decade's success. In recent years, the Venezuelan Government had been developing specific strategies to improve the living conditions of its indigenous peoples. The National Commission on Human Rights carried out programmes together with various governmental institutions and non-governmental human-rights organizations within the framework of commemorating the fiftieth anniversary of the Universal Declaration of Human Rights.

49. The Government would meet shortly with non-governmental organizations in order to submit a national human rights plan laying down guidelines for future action to comply with Venezuela's obligations under the international instruments to which it was a party. The plan included proposals pertaining to many aspects of indigenous issues, including the strengthening of bilingual education, setting up health-care programmes for indigenous peoples, reformulating social programmes aimed at indigenous communities, adopting a law on indigenous communities and cultures, providing interpreters for indigenous languages in administrative and judicial bodies, and strengthening border security. Those initiatives demonstrated that Venezuela was making serious efforts to meet the needs of its indigenous communities and was involving all the national and regional sectors interested in those questions.

50. **Ms. Maldonado** (Bolivia) said that her country attached particular importance to the item under consideration and stressed the need to review progress made in achieving the objectives of the Decade. Bolivia was a multi-ethnic and a multicultural State with a well-defined policy of respect for the rights of indigenous peoples. In 1998, the Government had carried out studies concerning the awarding of titles to community-held land for 23 indigenous peoples; it had also provided legal assistance to indigenous groups and standardized a set of legal norms incorporating the collective rights of indigenous peoples and relevant international principles into its national legislation.

51. In 1997 the Government had established a vice-ministry for indigenous affairs and native peoples. A number of judicial reforms had been carried out and the office of Defender of the People had been established to ensure respect for Bolivia's multi-ethnic and multicultural character and the defence of indigenous human rights in the country.

52. The Constitutional Court had been set up to prevent the abuse of power, which was of particular importance for indigenous peoples since they had specific constitutional rights. In addition, a committee on ethnic questions and native communities had been set up as an operational and research body for questions relating to indigenous peoples. The committee considered draft laws affecting the interests of indigenous peoples and acted as a link between them and State institutions.

53. The legislative branch was currently considering a draft code of penal procedure setting forth far-reaching reforms for the benefit of indigenous peoples, including the provision of translation services, recognition of common law, and assistance by experts in indigenous culture for judges and jurors. The Government had initiated an educational reform so that children could learn to read in their native indigenous languages, in accordance with the multicultural and multi-ethnic nature of Bolivian society. Programmes had been developed to train indigenous peoples in sustainable management of community lands, indigenous municipal districts and local bodies.

54. Bolivia supported the strengthening of regional cooperation and had participated actively in setting up the Indigenous Peoples Development Fund for Latin America and the Caribbean, which aimed to establish the legal, political, technical and financial conditions necessary for development of the region's native peoples.

55. Her country attached priority to the work on the draft declaration on the rights of indigenous peoples and the formulation of international norms in that regard and strongly supported the establishment of the proposed permanent forum for indigenous people within the United Nations system.

56. **Mr. Bune** (Fiji) said that his delegation welcomed the report on the programme of activities of the International Decade of the World's Indigenous People (A/53/310), in which the Secretary-General reaffirmed the international community's commitment to the world's indigenous people. The international community should address all the needs of indigenous peoples, offering them a brighter future.

57. The new millennium was an opportunity to review implementation of international commitments to the world's indigenous peoples, who had suffered from the destruction of their biodiversity and culture, discrimination in areas

including employment, housing and education and the adverse effects of the global economic crisis. Such a review should be undertaken half way into the Decade in order to ensure the success of the second half of the Decade and to aim future programmes at the social, economic and political development of the indigenous peoples.

58. While his delegation appreciated the contributions of States to voluntary funds and fellowships for indigenous populations, the overall amounts involved were wholly inadequate for the realization of their social, economic and political development needs. International funding commitments needed to be increased if the achievements of the International Decade were to have practical effect.

59. The working group on the draft declaration on the rights of indigenous peoples should hasten the adoption of the declaration, which would pave the way for an international convention on indigenous peoples. In addition, a special unit on indigenous peoples' affairs should be established within the United Nations. No effort should be spared to maintain their customs, traditions and cultures and to grant them self-governance.

60. Efforts to promulgate legal instruments to guarantee the rights of indigenous peoples should focus on their economic, social and human development and respect for their right to self-determination. The United Nations offered an ideal forum for ending the victimization of indigenous peoples. To that end, his Government called for the convening of a special session of the General Assembly to assess the achievements of the first half of the Decade and to plan programmes that would address their future development needs.

61. **Ms. Sibal** (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that the concept of multiculturalism had shaped the work of UNESCO, which strove to reconcile respect for diversity with social cohesion and the promotion of universal values.

62. The principle of respect for cultural diversity and cultural rights was enshrined in the Charter, in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities also included the rights of persons belonging to minorities to participate in cultural, religious, social, economic and public life; to establish their own associations; and to maintain free and peaceful contacts with others in their group or in other States to whom they were related by national or ethnic, religious or linguistic ties.

63. UNESCO continued to promote the right to learn in one's mother tongue and to gain access to languages of wider application. Its activities in support of indigenous peoples focused on the right of all to participate in culture and on an author's rights in relation to scientific, artistic or literary production. UNESCO also aimed at strengthening the common interests of majority and minority groups, States and indigenous peoples. Such an approach was vital to the prevention of "cultural" conflicts.

64. Modern democracy offered the only context in which the rights of persons belonging to minorities and indigenous peoples could be assured, by taking account of the cultural and ethical effects of historical injustices.

65. UNESCO would continue to undertake programmes and initiatives to help indigenous peoples and persons belonging to ethnic minorities. One example was the LINGUA PAX project which aimed at promoting linguistic diversity and protecting indigenous languages through the teaching of mother tongues and of national and foreign languages. The project aimed at providing a linguistic response to the problems raised by the search for peace, the defence of human rights and the development of education for democracy.

66. **Mr. Bolchenko** (Russian Federation) said that the proclamation of the International Decade of the World's Indigenous People had speeded national efforts to establish effective systems for protecting the rights and interests of indigenous peoples. In accordance with United Nations recommendations, the Russian Federation had set up a national committee for commemorating the Decade and had adopted an all-round plan of activities, including legal and economic support for small indigenous peoples, maintaining and developing their unique identity and traditional forms of livelihood, environmental protection, education, health care and promotion of national culture.

67. A number of political and legal reforms relating to indigenous peoples had been introduced, and State institutes for the protection of their rights and interests had been established. The office of a commissioner to protect the rights and interests of small indigenous peoples had been instituted. The Assembly of the Peoples of the Russian Federation, where all the country's peoples would be represented, would be another important institution in that field.

68. More than 150 laws and other normative instruments providing legal protection for the interests of the small indigenous peoples of the north had been adopted. In 1998, the Russian Federation would resolve the question of lowering the pension age for representatives of the small

indigenous peoples of the north and reform their educational system. A federal law on the country's small indigenous peoples, which would deal with the entire range of questions relating to the status of the Russian Federation's indigenous peoples, was being considered on a priority basis. The Government was currently preparing a national survey of results achieved during the first half of the Decade.

69. His delegation shared the view concerning the still very limited scope of United Nations activities relating to indigenous peoples and welcomed the decision by the Commission on Human Rights to set up an inter-sessional working group to consider further proposals for the establishment of a permanent forum for indigenous people in the United Nations system.

70. The Russian Federation welcomed the progress made in drawing up the draft declaration on the rights of indigenous peoples and the growing mutual understanding between the representatives of States and indigenous peoples. That spirit of partnership should make it possible to bring positions closer on the more complex issues and lead to the adoption of the declaration.

71. He stressed the need to take coordinated steps to ensure respect for all the human rights of indigenous peoples on the basis of equality.

72. **Ms. Geels** (New Zealand) said that her delegation welcomed the successful integration of indigenous issues into United Nations programmes, pursuant to the proclamation of the International Decade of the World's Indigenous People. Those agencies and departments that had not already done so should take concrete steps to contribute to the Decade.

73. Governments, non-governmental and indigenous peoples' organizations also had a part to play, helping to strengthen cooperation with and to develop initiatives by indigenous peoples on indigenous issues. Of particular importance was the standard-setting exercise being carried out on the draft declaration on the rights of indigenous peoples. New Zealand strongly advocated the participation of indigenous people in the working group and hoped that negotiations would lead to a robust and constructive declaration that would receive the support of all.

74. For its part, New Zealand had recently hosted a capacity-building workshop on indigenous language revitalization, providing an opportunity to share experiences. It hoped that the specialized agencies, particularly UNESCO, would follow up on the recent discussions in the Working Group on Indigenous Populations.

75. New Zealand had contributed to the Voluntary Fund for the International Decade, to which it would shortly make an additional contribution, and to the United Nations Voluntary Fund for Indigenous Populations. It had also hosted and funded an international conference on indigenous health, which had been an excellent forum for consultations between indigenous representatives, Governments and the World Health Organization. Later in the year it would sponsor an international congress of ethnobiologists aimed at establishing partnerships for sustainable development between industry, scientists and indigenous peoples. A conference on world indigenous youth would be held in New Zealand in December 1998.

76. New Zealand had established a Decade Fund and helped fund community projects focusing on Maori language development and education. A coordinating committee of Maori organizations had been established in 1996 while the major international human rights instruments were being translated into the Maori language. New Zealand was currently considering additional activities for the Decade.

77. The Treaty of Waitangi was fundamental to the relationship between the Crown and the Maori people. The Government had committed itself to addressing socio-economic disparities between Maoris and non-Maoris and to securing a fair and lasting settlement to grievances arising from breaches of the Treaty. The Government would continue to work with the Maori people to address their concerns and to support Maori language and culture. Several historical agreements had been concluded with larger tribal groups through the treaty-claims settlement process, while a number of claims were currently in negotiation or were before the Waitangi Tribunal.

78. Work on health and educational matters focused on improving Maori economic and social opportunities, while recent changes in New Zealand's electoral system had significantly increased Maori representation in Parliament and in all political parties, consistent with the size and composition of the Maori population.

79. Those developments reflected a desire to ensure the full and equal participation of the Maori people in the economy and in decision-making, a goal which had not yet been fully achieved. New Zealand remained committed to the success of the Decade and to the improving of the situation of all indigenous peoples.

80. **Mr. Melenevs'ky** (Ukraine) said that an appropriate international instrument should be adopted to facilitate implementation of the programme of activities of the Decade. There was a need for a consensus on the draft declaration on the rights of indigenous peoples and for a

permanent forum to discuss indigenous issues. His delegation strongly believed that all issues relating to minorities should be resolved within the democratic and legal framework, helping to strengthen peace, stability and democracy in multicultural societies.

81. The working group on the draft declaration on the rights of indigenous peoples should continue to seek consensus on the text of the declaration, avoiding politicization. His delegation believed that the declaration should draw a distinction between indigenous peoples living in isolated reservations and those integrated into mainstream society. In formulating the definition of an indigenous people, self-identification should not be taken as a basic criterion, but as an additional criterion, while other criteria needed to be considered.

82. Ukraine promoted the equal rights of its citizens, regardless of their ethnic origin, religion, language or cultural traditions. Such rights were guaranteed by the Constitution and incorporated into national legislation which protected the ethnic identity of national minorities. Ukraine had been free of serious social or ethnic conflict and had appointed its own ombudsman on human rights earlier in the year.

83. Ukraine was committed to the realization of the programme of activities for the Decade and was currently working on the elaboration of relevant policies, through, *inter alia*, an expert group on indigenous people. In addition to the difficulties of legal harmonization, Ukraine had experienced organizational and financial problems with the resettlement and reintegration of people who had formerly been deported from Ukraine. The United Nations and European organizations had offered valuable assistance in that regard.

84. His delegation believed that, since the issue of indigenous peoples was a sensitive one, the declaration on the rights of indigenous peoples should include provisions prohibiting actions that sought to undermine the territorial integrity, political unity and stability of sovereign States.

85. **Mr. Simón Padrós** (Argentina) said that there were approximately half a million indigenous people in his country, representing 1.5 per cent of the total population. The 1994 constitutional reform had incorporated clear norms recognizing their ethnic and cultural identity, the community ownership of their land, bilingual and intercultural education, the preservation of their heritage and the future transfer of land for their development. That reform had prepared the way for the subsequent implementation of initiatives to protect and promote the human rights of the indigenous population.

86. In 1998, the Government had established an indigenous consultative council composed of representatives of communities throughout the country. Its objective was to establish, together with the National Institute of Indigenous Affairs, the procedures for electing councillors on the basis of consultations with the indigenous communities. His Government was fully aware of the need for land ownership, freedom to practise religion, and cultural preservation in order to ensure the identity and survival of indigenous communities, and considered it the obligation of every State to promote those factors. In that connection, he pointed out with satisfaction that, in November 1998, the Government would transfer title of ownership of 250,000 hectares of land to specific communities in one of the country's provinces.

87. Argentina was promoting intercultural bilingual education and carrying out initiatives that took account of the needs of indigenous communities, providing them with greater access to education and stays in study centres. In 1998 the National Institute of Indigenous Affairs had granted more than 1,400 secondary-level scholarships and more than 150 tertiary-level scholarships to train indigenous teachers and promote intercultural bilingual education.

88. Argentina was committed to continuing to work to strengthen international cooperation in order to assist indigenous peoples in the field of human rights, the environment, development, education and health, and would support the work of the United Nations to that end. His Government followed attentively the work of elaborating a draft declaration on the rights of indigenous peoples and supported the establishment of a permanent forum for indigenous people within the United Nations system.

The meeting rose at 12.05 p.m.